

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOHN LAMONT YOUNG,

Petitioner,

Case No. 21-cv-0689-bhl

v.

CHERYL EPLETT,

Respondent.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING PETITION**

On June 3, 2021, petitioner John Lamont Young, currently incarcerated at Flambeau Correctional Center, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254 asserting that his state court conviction and sentence were imposed in violation of the U.S. Constitution. (ECF No. 1.) On July 9, 2021, Magistrate Judge Dries screened his petition and issued a Report and Recommendation concluding that the petition should be dismissed. (ECF No. 4.) Pursuant to 28 U.S.C. §636(b)(1), Young had until July 26, 2021 to file and serve written objections to the Magistrate Judge's Report and Recommendation. On July 19, 2021, Young filed a motion for an extension of time in which to submit his written objection. (ECF No. 6.) The Court granted his motion on July 20, 2021, giving Young until August 9, 2021 to file written objections. (ECF No. 7.) Young then failed to file an objection to any portion of the recommendation, either before or after the extended deadline.

Section 636 provides that this Court must "make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made*." 28 U.S.C. §636(b)(1) (emphasis added). After careful consideration of Magistrate Judge Dries' Report and Recommendation as well as the record as a whole, the Court adopts the Report and Recommendation of the Magistrate Judge. Therefore,

IT IS HEREBY ORDERED that Magistrate Judge Dries' Report and Recommendation, ECF No. 4, is **ADOPTED**.

IT IS FURTHER ORDERED that the petition (ECF No. 1) is **DISMISSED**. A Certificate of Appealability is **DENIED** for the reasons recommended. The Clerk is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin on August 13, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge